

12/1/08 - Monday, December 1, 2008

**CITY OF EAU CLAIRE
PLAN COMMISSION MINUTES**

Meeting of December 1, 2008

City Hall, Council Chambers

7:00 p.m.

Members Present: Messrs. Duax, FitzGerald, Kaiser, Kayser, Pearson, Larson, Seymour, Waedt

Staff Present: Messrs. Amundson, Noel, Tufte

The meeting was chaired by Mr. Kaiser.

1. CONDITIONAL USE PERMIT (CZ-0842) “ Kennel Day Care, 1737 Westgate Road

The item was chaired by Mr. Kayser after Mr. Kaiser excused himself from the meeting.

Darryl Tufte presented the applicant™s request to allow a kennel for dog day care and grooming at 1737 Westgate Road. The conditional use permit is needed because of the proposed fenced-in outdoor dog exercise area and since the use is similar to a kennel under the provisions of the Zoning Code.

Michelle Pacorsky, 1170 W. Northstar Lane, stated her business would operate doggy day service from 6:30 a.m. to 6:30 p.m., Monday through Friday. The six foot tall fence is so the dogs do not jump out and the height will not block the nearby street intersection. She could look after 20 dogs and if the dogs barked too much, she would bring them inside. She would clean up any outside dog droppings so there would be no foul smell and follow all applicable laws.

Matt Cesal, 1734 19th Street, spoke on behalf of others located on his block against the project. He cited noise and smell nuisance concerns, and children could get bit if the dogs were outside.

Dayna Schneider, 3650 Maywood Drive, was concerned about potential noise and smells from the dogs near her rental duplex she owns at 2104/2106 Necessity Street.

Nancy Westmoreland, 2112 Necessity Street, was concerned about the six foot tall fence blocking the street intersection and that the dogs might bark/bit the mental disabled people who live in the area.

Mr. FitzGerald motioned to approve the item for discussion purposes, seconded by Mr. Waedt. Mr. Pearson voted in favor while the rest of the commissioners, citing the negative noise and smell impacts to the adjacent residential properties, voted against the conditional use request. Mr. Kaiser abstained. The motion failed.

2. SITE PLAN (SP-0845) “ Four 4-plexes, Clearwater Ridge Drive

Mr. Tufte presented the applicant™s request to approve a site plan for four 4-plexes along the southwest corner of Brookline Avenue and Clearwater Ridge Drive. The original site plan was approved in the late 1980s. The applicant will need to file new legal descriptions for lot line adjustments and a certificate of survey for the new lot and outlot.

The City™s Multi-family Housing Design Manual calls for units to have their fronts/doors facing the street. Further, units should be not be oriented front to rear as the site plan indicates. The applicant would be willing to change the unit floor plans to accommodate a side facing œfront door, but states in a letter from his engineer the topography of the site is too steep to position the units front to front. If the commission finds this project can be approved, a number of conditions will need to be met as noted in the staff report.

Applicant, Bob Janke, 4328 S. Lowes Creek Road, stated the buildings layout are front to rear to work with the contours of the slope and provide views over the units below. He stated his project team reviewed several different layouts of the 4-plexes and this concept worked the best with the existing buildings on site and the topography. He stated he would provide a pine tree buffer.

Mr. Larson moved to approve with the conditions listed in the staff report, except for removing #4. Mr. Seymour seconded and the motion carried.

3. SITE PLAN (SP-0846) “ Duplex, W. Shorewood Drive

Mr. Tufte presented the applicant™s request to approve a site plan for a duplex at Lot 9, on the north side of West Shorewood Drive. The three-bedroom duplex units will have one-car garages and>

Applicant, Burt Brovold, 19454 74th Avenue, Chippewa Falls, WI 54729, spoke in support of the project.

Mr. FitzGerald moved to approve with the condition listed in the staff report. Mr. Duax seconded and the motion carried.

4. LANDMARK DESIGNATIONS

Pat Ivory stated the City has been contacted by homeowners seeking landmark designation for two properties. 133 Lake Street is a small tutor bungalow home located outside of the County Courthouse expansion area as shown in the Comprehensive Plan. 1705

Park Avenue is a colonial revival home located outside of University of Wisconsin-Eau Claire™s expansion area as shown in the Comprehensive Plan. The Landmarks Commission will determine ultimately if the properties should be landmarked historical.

Commissioners provided comment. Mr. Duax stated 133 Lake Street should not be reviewed until the Courthouse expansion plan is determined. Mr. FitzGerald stated land marking 133 Lake Street would bring more stability to the neighborhood.

5. DISCUSSION/DIRECTION

A. Billboard Retrofits

Mr. Ivory presented a request by Lamar Company, which amends their original request. The new proposal is to remove one nonconforming sign face for every nine non-conforming sign faces they retrofit with sign face changes.

Rich Reinart and Bill Mitchell, with Lamar Company, stated this proposal is a compromise after the City Council denied their last request. The signs they would remove in exchange for nine face changes would be single-sided or double-stacked signs. They do not know at the present time which sign faces will be removed.

Commissioners discussed more research should be conducted on how billboards in the city are nonconforming. They preferred that where a sign face is removed from a structure that the entire sign structure be removed. In addition, the review process should be either via conditional use permit or via site plan review. The sign ordinance amendment should also be crafted to cover all sign companies in the city. The City should also not renew leases on nonconforming billboards located on its land.

B. Comprehensive Plan "Sustainability Amendment"

Mr. Tufte asked for the commissioner™s comments on the amendment to the Comprehensive Plan"Sustainability Chapter Draft.

Commissioners thought the plan overall was good and recommended some minor wording changes. Discussion took place over including a society section in the Comprehensive Plan and if staff would have enough time to carry out all the recommended policies.

Mr. Tufte stated the chapter>

C. Code Compliance Items

Mr. Tufte will investigate dog kennel inspections and license requirements.

D. Future Agenda Items

Mr. Duax asked to see information on the proposed fees for development agreements in January.

6. MINUTES

The minutes of the meeting of November 17, 2008, were approved.

Fred Waedt
Secretary